

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION**

DALE HARTKEMEYER (AKA SEIGEN)

Plaintiff,

v.

Case No. 2:20-cv-00336-JSM-DLP

WILLIAM P. BARR, in his official
capacity as the Attorney General of the
United States; MICHAEL CARVAJAL, in
his official capacity as the Director of the
Federal Bureau of Prisons; and T.J.
WATSON, in his official capacity as
Complex Warden for Terre Haute Federal
Correctional Complex,

Defendants.

SUPPLEMENTAL DECLARATION OF CASSANDRA STUBBS

I, Cassandra Stubbs, certify under penalty of perjury that the following statement is true and correct:

1. I am an attorney with the American Civil Liberties Union and counsel of record in *Hartkemeyer v. Barr*.

2. On July 8, 2020 I submitted a prior declaration, describing our July 6, 2020 request to counsel for Defendants to provide information regarding COVID-preparations and mitigation efforts, following the Court's instructions to do so during a prior status conference. [Filing 59]. I attached the detailed list of questions we sent to Defendants. [Filing 59-A-1 at 1-3]. The Defendants did not respond to our questions. We specifically asked for the testing information

for any staff who would be involved in the executions, whether any individuals had been quarantined, and whether any individuals displayed or disclosed symptoms. [Filing 59-A-1 at 2].

3. As of today, we still have not received any answers to our questions. The only relevant new information we have received is the notice filed today by Defendants that a BOP staff member involved in the execution preparations, who did not always wear a mask in the prison, received positive test results for COVID-19 yesterday, July 11, 2020. [Filing 77-1 at 1-2]. According to the new filing, the infected individual had alerted the Government about his potential exposure on July 8, 2020. [Filing 77-1 at 1].

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing declaration is true and correct, dated July 12, 2020.

/s/ Cassandra Stubbs

Cassandra Stubbs